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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,187	10/15/2003	Charles John Luebke	03-mEDP-224	3803
7590 05/18/2007 Martin J. Moran, Esquire Eaton Electrical, Inc., Technology & Quality Center 170 Industry Drive, RIDC Park West Pittsburgh, PA 15275-1032			EXAMINER VUONG, QUOCHIE N B	
			ART UNIT 2618	PAPER NUMBER
			MAIL DATE 05/18/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/686,187	<b>Applicant(s)</b> LUEBKE ET AL.	
	<b>Examiner</b> Quochien B. Vuong	<b>Art Unit</b> 2618	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 February 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 and 20-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18, 20-22, 24 and 25 is/are rejected.
- 7) ☒ Claim(s) 23 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>02/23/07</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

This action is in response to applicant's response filed on 02/23/2007. Claims 1-18 and 20-25 are now pending in the present application. **This action is made final.**

### *Claim Objections*

1. Claims 1-18 and 20-25 are objected to because of the following informalities:

Claims 1 and 23, lines 1-2, the phrase "**A system for a structure, said system for a structure comprising**" should be "**A system for a structure, said system comprising**" to prevent any confusion.

Claims 2-18, 20-22, 24, and 25, line 1, the phrase "**The system for a structure of Claim**" should be "**The system of Claim**" for the same purpose as above.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-18, 20-22, 24, and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Kligman et al. (WO 00/75900 A1).

Regarding claim 1, Kligman et al. disclose a system for a structure (figures 1a-b and 2), said system comprising a server (Main Control Unit 20) including a first wireless communication port (22); a portable fob (cordless telephone 12 or cellular phone 17) including a second wireless communication port (11), a user input device (12b) and a display (12c); and a plurality of sensors (42), each of said sensors sensing information and including a third wireless communication port, which sends said sensed information to the first wireless communication port of said server, said server sending said sensed information for at least one of said sensors from the first wireless communication port of said server to the second wireless communication port of said portable fob, said portable fob displaying said sensed information for at least one of said sensors at the display of said portable fob, wherein said server further includes a processor, which detects a state change of the sensed information of one of said sensors, and which sends said state change of the sensed information from the first wireless communication port of said server to the second wireless communication port of said portable fob, and wherein said portable fob receives said state change of the sensed information from the second wireless communication port and responsively drives said display (page 3, lines 2-8; and page 4, line 4 – page 13, line 9).

Regarding claim 2, Kligman et al. disclose the system of claim 1 wherein the display of said portable fob includes a graphical capability (page 4, line 4 – page 13, line 9).

Regarding claim 3, Kligman et al. disclose the system of Claim 1 wherein the display of said portable fob includes a plurality of graphical objects; and wherein the

user input device of said portable fob is a single rotary switch, which is employed to select one of the graphical objects of said display (page 4, line 4 – page 13, line 9).

Regarding claim 4, Kligman et al. disclose the system of Claim 3 wherein said rotary switch is adapted to be pushed to select said one of the graphical objects (page 4, line 4 – page 13, line 9).

Regarding claim 5, Kligman et al. disclose the system of Claim 1 wherein the display of said portable fob includes a plurality of representations of at least some of said sensors; wherein the user input device of said portable fob selects one of said representations; and wherein the display of said portable fob responsively displays said sensed information for a corresponding one of said sensors (page 4, line 4 – page 13, line 9).

Regarding claim 6, Kligman et al. disclose the system of of Claim 1 wherein said sensors and said server employ bi-directional wireless communication links between said third wireless communication ports and said first wireless communication port; and wherein said sensors include a routing function in some of said sensors to communicate with said server through other ones of said sensors (page 4, line 4 – page 13, line 9).

Regarding claim 7, Kligman et al. disclose the system of of Claim 6 wherein said server, said portable fob and said sensors employ bi-directional wireless communication links between said first wireless communication port, said second wireless communication port and said third wireless communication port; and wherein said portable fob and said sensors include a routing function in which said portable fob and

some of said sensors communicate with said server through other ones of said sensors (page 4, line 4 – page 13, line 9).

Regarding claim 8, Kligman et al. disclose the system of Claim 1 wherein said server is adapted to communicate with one of a telephone line, a cellular telephone, a global communication network, a local area network, and a pager as another user interface (page 4, line 4 – page 13, line 9).

Regarding claim 9, Kligman et al. disclose the system of Claim 1 wherein said portable fob is adapted to be worn by a user (page 4, line 4 – page 13, line 9).

Regarding claim 10, Kligman et al. disclose the system of Claim 1 wherein said portable fob is adapted to be carried by a user (page 4, line 4 – page 13, line 9).

Regarding claim 11, Kligman et al. disclose the system of Claim 1 wherein said portable fob is adapted to be placed on a household object (page 4, line 4 – page 13, line 9).

Regarding claim 12, Kligman et al. disclose the system of Claim 1 wherein said portable fob is adapted to be attached to a household object (page 4, line 4 – page 13, line 9).

Regarding claim 13, Kligman et al. disclose the system of Claim 1 wherein said portable fob is adapted to configure said at least one of said sensors for at least one of: a sensor name and an alert as a function of said sensed information for at least one of said sensors (page 4, line 4 – page 13, line 9).

Regarding claim 14, Kligman et al. disclose the system of Claim 1 wherein said portable fob is adapted to configure said portable fob for communication with said server responsive to input from said user input device (page 4, line 4 – page 13, line 9).

Regarding claim 15, Kligman et al. disclose the system of Claim 1 wherein said server is a headless base station (page 4, line 4 – page 13, line 9).

Regarding claim 16, Kligman et al. disclose the system of Claim 1 wherein said server is a network coordinator for said sensors and said portable fob (page 4, line 4 – page 13, line 9).

Regarding claim 17, Kligman et al. disclose the system of Claim 1 wherein said server, said portable fob and said sensors form an IEEE 802.11 wireless local area network (page 4, line 4 – page 13, line 9).

Regarding claim 18, Kligman et al. disclose the system of Claim 1 wherein said server, said portable fob and said sensors form an IEEE 802.15.4 wireless personal area network (page 4, line 4 – page 13, line 9).

Regarding claim 20, Kligman et al. disclose the system of Claim 1 wherein said portable fob further includes a processor, which receives said state change from the second wireless communication port and which responsively drives said display (page 4, line 4 – page 13, line 9).

Regarding claim 21, Kligman et al. disclose the system of Claim 20 wherein said portable fob further includes an alert device; and wherein the processor of said portable fob responsively drives said alert device in response to said state change (page 4, line 4 – page 13, line 9).

Regarding claim 22, Kligman et al. disclose the system of Claim 21 wherein said alert device is one of an audible device, a visual device and a vibratory device (page 4, line 4 – page 13, line 9).

Regarding claim 24, Kligman et al. disclose the system of Claim 1 wherein said sensors periodically send said sensed information to the first wireless communication port of said server; and wherein said portable fob periodically requests and receives said sensed information for said sensors between the first and second wireless communication ports (page 4, line 4 – page 13, line 9).

Regarding claim 25, Kligman et al. disclose the system of Claim 24 wherein the display of said portable fob includes a plurality of graphical objects corresponding to the received sensed information for said sensors (page 4, line 4 – page 13, line 9).

#### ***Allowable Subject Matter***

4. Claim 23 would be allowable if rewritten or amended to overcome the objection set forth in this Office action.

#### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-18, 24, and 25 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP



§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quochien B. Vuong whose telephone number is (571) 272-7902. The examiner can normally be reached on M-F 9:30-18:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2618

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



**QUOCHIE B. VUONG**  
**PRIMARY EXAMINER**

Quochien B. Vuong  
May 14, 2007.